

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-00561-FDW

LATAWSHA TOOMER,

Plaintiff,

v.

ANDREW M. SAUL,

Defendant.

ORDER

THIS MATTER is before the court on Plaintiff's Complaint and Defendant's Motion for Remand to the Commissioner, (Doc. No. 15), for further administrative proceedings. The Commissioner wishes to conduct further fact finding, including holding a new administrative hearing. Plaintiff's counsel consents to the Government's Motion for Remand.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, the Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and REMANDS the case to the Commissioner for further proceedings, including a new hearing. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). Additionally, Plaintiff's pending Motion for Summary Judgement, (Doc. No. 13), is DENIED AS MOOT.

The Clerk of Court is respectfully DIRECTED to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Signed: July 21, 2021

Frank D. Whitney
United States District Judge

